

IFW &

Application No. 10/622,882
Restriction Requirement

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Applicant:	E.E. Koslow)	Examiner:	Krishnan. S. Menon
Serial No.:	10/622,882)	Art Unit:	2756
Filing Date:	July 18, 2003)	Docket No.	KT-P-025US
For:	CARBON AND ACTIVATED CARBON NANOFIBER SHEETS			

MAIL STOP 1450
Honorable Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Restriction Requirement

Dear Sir:

In an Official Action dated July 6, 2005 the Examiner made a Restriction Requirement requesting an election be made to Groups and species in pending claims 1-74.

The Examiner requested an election between Groups I to V, as follow:

- I. Claim 1-7, drawn to carbon nanofiber, classified in class 423, subclass 447.1.
- II. Claims 8-44, drawn to fibrillated fiber sheet, classified in class 210, subclass 503.
- III. Claims 45-52, drawn to process of making carbon nanofibers, classified in class 423, subclass 447.4.
- IV. Claims 53-65, drawn to process of making carbon sheet, classified in class 442, subclass 408.
- V. Claims 66-74, drawn to method of removing microbiological contaminants,

Application No. 10/622,882
Restriction Requirement

classified in class 210, subclass 764.

The applicant elects to prosecute Group II which covers claims 8-44. This election is made without traverse.

A. Fiber material: elect one material from among the materials of the Markush group as in Claim 12 and Iyocell;

B. Captured active agents: elect one agent from among the agents of the Markush group as in claim 15, microbiological interception agent, catalyst or catalyst support, and functional groups (such as in claim 51)

c. Carbonized fibers (unactivated) or activated carbonized fibers

The species elected are Lyocell, microbiological interception agent and activated carbon fibers.

The Examiner has made a second restriction requirement as to species as follows:

The species Lyocell.(Species Group A)

Microbiological interception agent (Species Group B)

Activated carbonized fibers. (Species Group C)

The claims of Group I and the species elections are claims 8, 9, 13, 16, 20, 21, 25, 30, 38 and 43. The remaining claims are dependent on the aforementioned claims but do not have the species above selected.

The above elections are made without traverse.

A two month extension of time is attached hereto. The U.S. Patent and Trademark Office is authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 502371.

Application No. 10/622,882
Restriction Requirement

Respectfully submitted,

Date: September 2, 2005

Gary Warner
Registration No. 29,220

KX Industries, L.P.
269 S. Lambert Road
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203-799-9000 x277

CERTIFICATE OF MAILING

I hereby certify that the foregoing document is being deposited with the U.S. Postal Service as first class mail addressed to MAIL STOP DD, Commissioner of Patents, U.S. Patent & Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450.

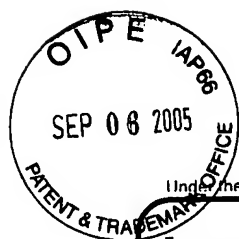
Gary Warner

September 2, 2005

Name

Date

Signature



Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL

For FY 2005

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

Complete if Known

Application Number	10/662,882
Filing Date	July 18, 2003
First Named Inventor	Evan E. Koslow
Examiner Name	Krishnan S. Menon
Art Unit	2756
Attorney Docket No.	KT-P-025US

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____☒ Deposit Account Deposit Account Number: 502371 Deposit Account Name: KX Industries, L.P.

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☐ Credit any overpayments

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FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEESFee Description

Each claim over 20 (including Reissues)

Each independent claim over 3 (including Reissues)

Multiple dependent claims

Small Entity	
Fee (\$)	Fee (\$)
50	25
200	100
360	180

<u>Total Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
- 20 or HP =	x	=	

HP = highest number of total claims paid for, if greater than 20.

<u>Indep. Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
- 3 or HP =	x	=	

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

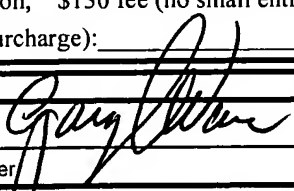
<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each additional 50 or fraction thereof</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
- 100 =	/ 50 =	(round up to a whole number) x	=	

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): _____

Fees Paid (\$)**SUBMITTED BY**

Signature		Registration No. 29220 (Attorney/Agent)	Telephone 203-799-9000 X277
Name (Print/Type)	Gary L. Wamer		Date September 2, 2005

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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